

Marine Licence with introductory note

The Marine and Coastal Access Act (2009)

Licence Holder: Milford Haven Port Authority

Address: Gorsewood Drive, Hakin, Milford
Haven, SA73 3EP

**Pembroke Dock Ground Investigation
and Environmental Surveys.**

Licence Number: RML2362

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Pembroke Dock Ground Investigation and Environmental Surveys.

Marine Licence number: RML2362

Introductory note

This introductory note does not form a part of the marine licence

The main features of the marine licence are as follows:

Investigatory boreholes, vibrocores, intertidal cores and sub-tidal grab samples within Milford Haven Waterway to inform planned future works within Pembroke Port.

The status log of the marine licence sets out the marine licence history, including any subsequent marine licence variation(s)

Status log of this marine licence		
Description	Date	Comments
Application	10 November 2023	Application received and considered to be duly made
Date licence determined	22 December 2023	Determination date

End of introductory note.

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BAND 1 MARINE LICENCE NUMBER RML2362

1 LICENCE DETAILS

1.1 Band 1 Licence

This is a licence granted by the Licensing Authority in respect of an application numbered **RML2362** and duly made on **10 November 2023** and authorises the Licence Holder to carry on activities for which a licence is required under Part 4 of the 2009 Act and falling within Band 1 of Schedule 1 of the Marine Licensing (Fees) (Wales) Regulations 2017/280. This licence should be interpreted in accordance with **Section 4**.

1.2 Licence Holder

The Licence Holder is the organisation set out below:

Organisation name: Milford Haven Port Authority

Address: Gorsewood Drive, Hakin, Milford Haven, SA73 3EP

Licence Validity

Licence Start Date	22 December 2023
Licence End Date	21 December 2024
Licence Issue Date	22 December 2023

1.3 Conditions

This licence is subject to the conditions set out in **Section 3**.

Signed:



For and on behalf of the Licensing Authority

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2 LICENSED ACTIVITIES

2.1 Project

This licence is granted in respect of:

Investigatory boreholes, vibrocores, intertidal cores and sub-tidal grab samples within Milford Haven Waterway to inform planned future works within Pembroke Port.

The Licensed Activities permitted by this licence, as set out in 2.2 below, comprise activities of the following general type:

- *the removal of a substance or object from the sea bed*

2.2 Licensed Activities

The following activities can be conducted within the Licence Period, within the Licensed Area and in accordance with the Approved Application, and the Approved Supporting Documents:

Removal activities:

- *Sediment (grab) samples where the total sample volume across all samples is no more than 4 cubic metres. The density of grab samples should not exceed 50 samples within any one hectare*
- *Boreholes*
- *Vibrocores*
- *Intertidal Cores*

2.3 Licensed Area

The Licence Holder is authorised to conduct the activities described in paragraph 2.2 on the foreshore adjacent to Pembroke Dock bounded by the coordinates set out in Appendix 2 and as indicated in the plan attached at Appendix 1.

In the event of any discrepancy between the coordinates set out in Appendix 2 and the plan attached at Appendix 1, the coordinates shall take precedence.

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2.4 Approved Supporting Documents

Title/Description of Document	Date Submitted
RML2362 – Application Form	25 October 2023
RML2362 - MHPA Surveys - MLA Method Statement with MCA and AT Correspondence	25 October 2023
RML2362 - Shapefile and co-ordinates	13 November 2023
RML2362 – Application Form Amendment form	15 December 2023
RML2362 - Criterion Quay Sampling MLA - Note on noise generation	14 December 2023
RML2362 - EC DECLARATION OF CONFORMITY - XL SSD X2009311	14 December 2023
RML2362 - DC10147_Liverpool_CT_-_12_Quays_Birkenhead__Underwater_Noise_during_rotary_drilling	14 December 2023
RML2362 - 11748.E1 Noise Monitoring Result Report (boreholes)	14 December 2023

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3 CONDITIONS

Notification and Inspection

3.1 Notification of Commencement

- 3.1.1** The Licence Holder must notify the Licensing Authority no less than **5 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.2** The Licence Holder must notify Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) no less than **5 days** before the commencement of the Licensed Activities, or an individual phase of the Licensed Activities, is expected to commence.
- 3.1.3** The Licence Holder must ensure that local mariners and fishermen's organisations are made fully aware of the Licensed Activities through local notices to mariners **5 days** prior to the commencement of the Licensed Activities.
- 3.1.4** The Licence Holder must ensure that the locations and timings of any borehole works are reported to the Licensing Authority at least **10 days** prior to carrying out the Licensed Activities.

3.2 Notification of Agents/Contractors/Sub-Contractors

The Licence Holder must ensure that details of any agent(s), contractor(s) or sub-contractor(s) utilised to undertake the Licensed Activities are submitted to the Licensing Authority at least **24 hours** prior to the commencement of Licensed Activities.

3.3 Notification of HM Coastguard

The Licence Holder must ensure that HM Coastguard is made aware of the Licensed Activities at least **24 hours** prior to commencement by contacting The National Maritime Operations Centre at **zone28@hmcg.gov.uk**

3.4 Notification of Vessels and/or Vehicles

The Licence Holder must ensure that the details of the vessels and/or vehicles utilised to undertake the Licensed activities are submitted to the Licensing Authority and Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) at least **24 hours** prior to the commencement of the Licensed Activities.

3.5 Inspection of Licensed Activities

The Licence Holder must allow Marine Enforcement Officers or any other person authorised by the Licensing Authority to inspect the Licensed activities at any reasonable time.

3.6 Notification of Completion

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3.6.1 The Licence Holder must notify the Licensing Authority within **10 days** of completion of the Licensed Activities.

3.6.2 The Licence Holder must notify the authorised Welsh Government Marine & Fisheries Division (Control & Enforcement Branch) within **10 days** of completion of the Licensed Activities.

3.6.3 The Licence Holder must inform the Licensing Authority, of the location of all completed samples within **10 days** of completion of the work.

3.7 Notification of UK Hydrographic Office

Where the Licensed Activities involve deposit or construction activities, the Licence Holder must notify the UK Hydrographic Office of the Licensed Area and the Licensed Activities within **5 days** of the completion of the Licensed Activities.

3.8 Accident or Emergency

3.8.1 If, by reason of force majeure any substances or articles are deposited otherwise than as permitted as part of the Licensed Activities or in the Licensed Area full details of the circumstances shall be notified to the Licensing Authority within **48 hours** of the incident occurring.

3.8.2 If it is necessary for the Licence Holder to recover or remove any equipment, plant or machinery used to undertake the Licensed Activities that have been dropped as a result of an accident or emergency, the Licence Holder is permitted to do so provided that the methodology for such recovery or removal has been approved by the Licensing Authority.

3.9 Distribution of Copies of this Licence

The Licence Holder is required to ensure that a copy of this Licence and any special conditions thereto is given to:

- All agent(s), contractor(s) and sub-contractor(s) whose names have been provided to the Licensing Authority pursuant to condition 3.2; and
- The Masters of any vessels and transport managers responsible for the vehicles employed in the pursuance of this Licence whose details have been submitted to the Licensing Authority pursuant to condition 3.4.

3.10 Inspection of Documents

Copies of this Licence shall be made available at the following locations:

- at the address of the Licence Holder specified in section 1.2;

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- at any site office, located at or adjacent to the Licensed Area, used by the Licence Holder or its agent(s), contractor(s) or sub-contractor(s) responsible for the loading transportation or deposit of any substances or articles permitted as part of the Licensed Activities;
- on board each vessel or vehicle carrying out Licensed Activities.

The documents referred to in this Condition shall be available at all reasonable times for inspection by officers appropriately authorised by the Licensing Authority and authorised Marine Enforcement Officers at the locations stated in that paragraph.

Vessels, Plant and Equipment

3.11 Notified Contractors, Vessels and/or Vehicles only to Carry out Licensed Activities

Only those agent(s), contractor(s), sub-contractor(s), vessels and/or vehicles whose details have been notified to the Licensing Authority may operate under the terms of this Licence. Any changes must be notified to and be approved by the Licensing Authority in writing prior to any such agent(s), contractor(s), sub-contractor(s) vessels or vehicles carrying out any Licensed Activities pursuant to or otherwise operating under this Licence.

3.12 Refuelling of Plant and Equipment

The Licence Holder must ensure that plant, vehicles and machinery are not refuelled on the foreshore or in the sea.

3.13 Equipment, Structures and Access

The Licence Holder must ensure that all equipment, temporary structures, access tracks, waste and/or debris associated with the Licensed Activities are removed on completion of the Licensed activities.

Safety

3.14 Removal of Deposited Material

If the Licensing Authority considers it necessary or advisable for the safety of navigation, the Licence Holder must remove any deposit specified by the Licensing Authority or Marine Enforcement Officers within one month of notice being given by the Licensing Authority, and not shall not replace such material until the Licensing Authority has given its written approval.

Pollution control

3.15 Pollution Prevention

The Licence Holder must ensure that pollution prevention best practice is adhered to at all times. Any incidents must be reported to the Licensing Authority as soon as possible using the hotline number **0300 065 3000**.

3.16 Spillage of Pollutants

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The Licence Holder must employ bunding, storage facilities and spill kits to contain and prevent the release of fuel, oils and chemicals associated with the plant, refuelling and construction equipment into the marine environment. Secondary containment must be used with a capacity of **no less than 110%** of the container's storage capacity.

3.17 Prevention of Disposal of Man-made Debris

The Licence Holder must ensure that all reasonable precautions are taken to prevent the disposal of man-made debris to the marine environment. Such material must be removed immediately and be disposed of appropriately. If it is not possible to prevent manmade debris from entering the marine environment during the Licensed Activities, the Licensed Activities must cease immediately.

3.18 Cleanliness of Equipment

The Licence Holder must ensure that equipment, machinery and PPE are washed with freshwater and/or thoroughly airdried before deployment and before moving between locations.

Activity Specific Conditions

3.19 Grab Samples – Sensitive Species

The Licence Holder must ensure that in the event of removal of any sensitive species designated by NRW under Schedule 7 of the Environment (Wales) Act 2016, no further removals occur at that location, or within 20 meters of that location.

3.21 Removal Activity – Artefacts

The Licence Holder must ensure that any artefacts found during the Licensed Activities are reported through the Marine Portable Antiquities Scheme.

4 INTERPRETATION

In this Licence terms are as defined in section 115 of the Marine and Coastal Access Act unless otherwise stated.

- (a) **"2009 Act"** means the Marine and Coastal Access Act 2009;
- (b) **"Approved Application"** means the Band 1 Marine Licence Application Form together with the Approved Supporting Documents;
- (c) **"Approved Supporting Documents"** means the documents supporting, or supplementary to, the Approved Application, submitted prior to the Licence Issue Date, listed in the Table at paragraph 2.4 above;
- (d) **"Commencement"** means the first undertaking of any Licensed Activities;
- (e) **"Force majeure"** may be deemed to apply when, due to stress of weather or any other cause, the master of a vessel determines that it is necessary to deposit the substances or articles because the safety of human life and/or of the vessel is threatened;
- (f) **"Licensed Activities"** means the activities authorised by this licence as specified in ☐;
- (g) **"Licensed Area"** means the area within which Licensed Activities are authorised by this Licence as specified in section 2.3;
- (h) **"Licence Holder"** means the person(s) or organisation(s) named in section 1.2 to whom this licence is granted;
- (i) **"Licence Period"** means the period beginning with the Licence Start Date and ending on the Licence End Date;
- (j) **"Licensing Authority"** means Natural Resources Wales acting on behalf of the Welsh Ministers;
- (k) **"Marine Enforcement Officers"** means the relevant officers appointed by Welsh Ministers under section 235 of the 2009 Act, contact details for whom are provided in paragraph 5;
- (l) **"Marine Licence Application Form"** means the application form forming part of the application referred to in paragraph 1.1;
- (m) **"MCZ"** means Marine Conservation Zone;
- (n) **"Ramsar site"** means a wetland site designated of international importance under the Ramsar Convention;

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- (o) **“SAC”** means Special Area of Conservation;
- (p) **“Sensitive Area”** means any designated or proposed protected area (SPA, SAC, MCZ, SSSI or Ramsar site), or any other habitat identified by Natural Resources Wales as sensitive as at the date of this Licence;
- (q) **“Sensitive Area Method Statement”** means the Method Statement(s) forming part of the Approved Application or Approved Supporting Documents;
- (r) **“SPA”** means Special Protection Area;
- (s) **“SSSI”** means Site of Special Scientific Interest;
- (t) **“Works”** means any construction activities comprised in the Licensed Activities and, where the context permits, includes any plant, equipment or materials used to carry out those activities or operations but excludes monitoring, minor routine maintenance or other ongoing operational activities following completion of any construction activities;
- (u) all times shall be taken to be the time in Greenwich Mean Time (GMT) on any given day;
- (v) all co-ordinates shall be taken to be eastings and northings.
- (w) in the event of any discrepancy between the coordinates listed in paragraph 2.4 and the plan attached at Appendix 1, the coordinates shall take precedence.

5 CONTACTS

Except where otherwise indicated, the primary point of contact with the Licensing Authority and the address for returns, correspondence is:

Marine Licensing Team
Natural Resources Wales
Permitting Service
29 Newport Road
Cambria House
Cardiff
CF24 0TP

Tel: 0300 065 3000
Email: marinelicensing@naturalresourceswales.gov.uk

Welsh Government Marine Enforcement Officers may be contacted at:

Welsh Government
Suite 3
Cedar Court
Haven's Head Business Park

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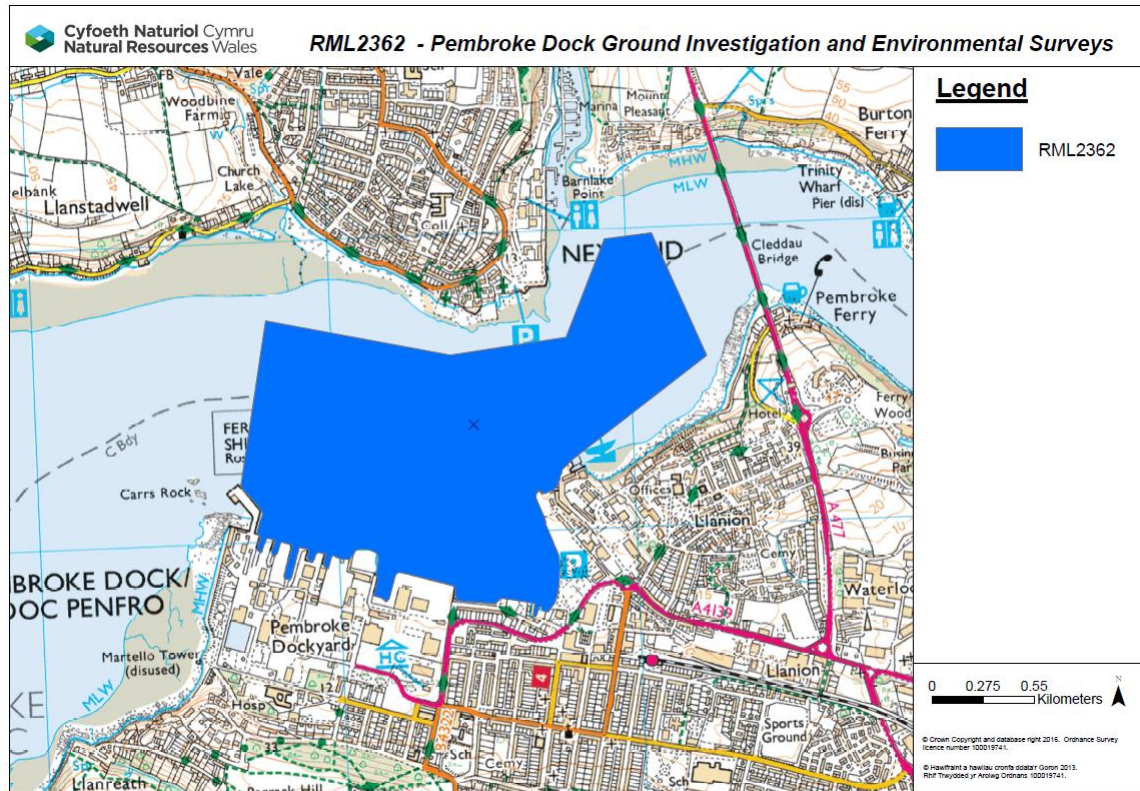
Milford Haven Pembrokeshire
SA73 3LS

Tel: 03000 253500

Email: wfmccmpc@gov.wales

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Appendix 1. Project plan



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Appendix 2. Project co-ordinates

Easting	Northing
196798	204238
196790	204232
196783	204225
196775	204218
196768	204212
196760	204205
196757	204196
196754	204187
196751	204177
196751	204167
196744	204164
196744	204154
196738	204147
196731	204142
196728	204134
196721	204133
196713	204132
196704	204127
196694	204126
196687	204132
196680	204136
196672	204130
196667	204121
196667	204111
196671	204102
196674	204092
196678	204083
196682	204074
196685	204065
196689	204055
196693	204046
196695	204036
196697	204028
196697	204020
196700	204011
196704	204002
196707	203992
196711	203983
196715	203974
196718	203964
196721	203955
196725	203946
196729	203936
196732	203927
196735	203917

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196737	203908
196738	203898
196738	203888
196737	203878
196737	203868
196736	203858
196735	203848
196735	203838
196733	203828
196732	203818
196730	203808
196728	203799
196726	203789
196723	203779
196720	203770
196716	203761
196710	203752
196703	203745
196697	203737
196691	203730
196682	203733
196674	203738
196670	203748
196663	203748
196659	203738
196657	203729
196652	203720
196645	203718
196643	203727
196645	203737
196647	203747
196649	203756
196644	203762
196635	203763
196625	203765
196615	203767
196605	203769
196595	203771
196585	203773
196576	203775
196566	203777
196556	203779
196546	203781
196536	203781
196529	203776
196522	203769
196513	203766
196503	203766

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196493	203768
196483	203769
196473	203770
196463	203771
196453	203772
196444	203773
196434	203774
196424	203775
196414	203776
196404	203778
196394	203781
196387	203785
196386	203794
196383	203803
196385	203813
196384	203822
196378	203830
196369	203834
196359	203837
196350	203840
196340	203843
196331	203846
196321	203849
196311	203851
196302	203854
196292	203857
196283	203860
196273	203862
196263	203865
196254	203868
196244	203871
196235	203873
196225	203876
196215	203879
196206	203881
196196	203881
196188	203875
196184	203866
196181	203856
196179	203846
196176	203837
196173	203827
196170	203818
196167	203808
196164	203799
196158	203791
196149	203791
196140	203797

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196131	203801
196122	203804
196112	203807
196114	203816
196117	203826
196120	203835
196122	203845
196125	203855
196126	203864
196125	203874
196122	203883
196126	203892
196128	203902
196129	203912
196130	203922
196131	203932
196131	203942
196125	203950
196117	203955
196108	203960
196098	203962
196088	203964
196078	203965
196068	203965
196059	203963
196052	203955
196046	203947
196040	203939
196034	203931
196025	203933
196015	203933
196006	203937
195996	203941
195987	203944
195977	203946
195974	203937
195971	203928
195968	203918
195965	203909
195959	203906
195950	203911
195948	203920
195950	203930
195953	203940
195956	203949
195951	203955
195941	203958
195932	203959

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195924	203953
195920	203944
195916	203935
195908	203930
195899	203933
195895	203942
195896	203952
195899	203961
195898	203970
195890	203974
195880	203976
195870	203978
195866	203971
195863	203962
195860	203952
195857	203943
195854	203933
195851	203924
195848	203914
195845	203905
195842	203895
195839	203886
195835	203876
195828	203873
195818	203876
195815	203883
195817	203893
195819	203903
195822	203912
195825	203922
195828	203932
195831	203941
195834	203951
195837	203960
195840	203970
195843	203979
195845	203989
195835	203992
195826	203995
195816	203998
195808	203998
195804	203989
195801	203979
195798	203970
195793	203961
195786	203955
195777	203956
195776	203966

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195777	203975
195781	203985
195785	203994
195788	204003
195782	204008
195773	204011
195763	204014
195758	204007
195754	203998
195750	203989
195747	203979
195744	203970
195737	203968
195729	203974
195729	203984
195732	203994
195735	204003
195738	204013
195740	204022
195732	204027
195731	204037
195733	204047
195736	204056
195739	204066
195742	204075
195747	204084
195750	204093
195748	204103
195744	204112
195738	204120
195731	204128
195725	204136
195719	204144
195713	204151
195706	204159
195700	204166
195693	204174
195686	204181
195681	204189
195787	204739
196391	204602
196788	204644
196929	204964
197086	204981
197257	204566
196802	204241
196798	204238